



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,485	02/14/2005	Mitsuru Shinagawa	44471/312241	8636
23370	7590	07/29/2009		
JOHN S. PRATT, ESQ KILPATRICK STOCKTON, LLP 1100 PEACHTREE STREET SUITE 2800 ATLANTA, GA 30309			EXAMINER KASRAIAN, ALLAHYAR	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 07/29/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/524,485

**Applicant(s)**

SHINAGAWA ET AL.

**Examiner**

ALLAHYAR KASRAIAN

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/27/2009 has been entered.

### ***Remarks***

2. The present Office Action is based upon the Applicant's amendment filed on 04/27/2009. **Claims 1-13** are now pending in the present application.
3. Applicant's failure to adequately traverse the Examiner's taking of Official Notice for claims 7-9 in the last Office Action is taken as an admission of the facts noticed (i.e., that is notoriously well known in the art to use a foam member containing air, a plurality of wooden pillars, or a cushion member having predetermined gas confined therein as an insulating substance).

### ***Response to Arguments***

4. Applicant's arguments filed 04/27/2009 have been fully considered but they are not persuasive.

On page 8 of the Applicant's arguments/remarks with respect to claim 1, Applicant argues, "Shinagawa merely discloses a transmission and reception electrode

105' that is provided in a vicinity of a living body 100 through an insulation film 106'. Shinagawa does not disclose an insulating case that incorporates a transceiver main body, as required by Claim 1. As illustrated in Figure 11 of Shinagawa, the insulation film 106' of the transceiver 3 does not accommodate a transceiver main body. A comparison of Figure 27 of the present application and Figure 11 of Shinagawa, illustrates the distinct differences in the structure of the transceivers." Examiner respectfully traverses the argument since Shinagawa discloses the limitation "an insulating case that accommodates said transceiver main body" based on FIGs. 7, 9 or 11 and broadest reasonable interpretation to the language of the claim.

On page 9 through 10 of the Applicant's arguments/remarks with respect to claim 1, Applicant acknowledges that Webster discloses the electrodes members are arranged on the bottom and the side of external wall surface. However, Applicant argues, "Webster does not disclose or suggest that a structure is interposed between the electrode members 52 (or 88) and the tissue, as required by Claim 1. Therefore, the transceiver of Shinagawa as modified by Webster cannot overcome the above-described traditional transceiver problem, because a part of the electric field would return from the human hand to the transceiver via the non-conductive matrix or the insulating material arranged between the electrode members." Examiner respectfully disagrees with Applicant for several reasons. First, there is nothing in the claim to discloses "all of the electric field should return from the human hand to the transceiver via the insulating." Second, Examiner asserts when an electrode receiving electric filed from the human body, it is physically impossible to receive the electric field on both

bottom and side walls at the same time (at least for the condition) when only the bottom of the electrode contact the human body (even by assuming the claim language exactly claims FIG. 27 of the current Application). Third, even if 'a part of the electric field would return from the human hand to the transceiver via the non-conductive matrix or the insulating material arranged between the electrode members', that does not mean the electrode(s) cannot receive the electric fields at all for measuring it.

On the second paragraph of page 10 of the Applicant arguments/remarks, Applicant further argues, "one of ordinary skill in the art at the time of the invention would not be motivated to combine Shinagawa and Webster, because the references teach away from each other. As discussed above, Shinagawa teaches an insulation film between the electrode and the living body. (See, Fig. 10). In contrast, Webster teaches that at least some of the electrodes make direct contact with the human body (tissue). Thus, one of ordinary skill in the art at the time of the invention would not deem the Shinagawa teachings to be relevant to the Webster teachings." In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

On the third paragraph of page 10 of the Applicant arguments/remarks, Applicant further argues, "Even if Shinagawa and Webster were combined it would not result in the transceiver defined by Claim 1. Combining Shinagawa and Webster would result in a transceiver that includes an insulation film arranged between some of the electrodes

and the living body, and some electrodes protruding through the insulation film, such that those electrodes could make direct contact with the living body." Examiner respectfully disagrees with Applicant since Shinagawa as modified by Webster provides the same functionality of the limitation (see the rejection based on Design Choice below).

Therefore, claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shinagawa in view of Webster in view of Takeuchi further in view of Trinh.

On page 11 of the Applicant's arguments/remarks with regards to claims 5, 12 and 13, Applicant's argument is not persuasive since Applicant asserts the same argument(s) similar to the argument with regards claim 1. Therefore, Examiner refers to the same reason(s) stated above for claim 1.

Claims 2-4 and 6-9 are also rejected by at least the virtue of their dependency on claims 1 and 5.

Applicant(s) are reminded that the Examiner is entitled to give the broadest reasonable interpretation to the language of the claim. The Examiner is not limited to Applicant's definition, which is not specifically set forth in the claims, *In re Tanaka et al*, 193 USPQ 139, (CCPA) 1977.

The references made herein are done so for the convenience of the Applicant.

They are not meant to be limiting and should be considered as a whole.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the Examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the Examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. **Claims 1-4** are rejected under 35 U.S.C. 103(a) as being unpatentable over

**Shinagawa et al. (US Patent Application Pub. # 20030060162)** (hereinafter Shinagawa) in view of **Webster, Jr. Et al. (US Patent # 6064905)** (hereinafter Webster) in view of **Takeuchi et al. (US Patent Application Pub. # 20030151600)** (hereinafter Takeuchi) further in view of **Trinh (US Patent Application Pub. # 20040066605)**.

Consider **claim 1**, Shinagawa discloses a transceiver comprising (FIG. 6-11):

a transmitting and receiving electrode that induces an electric field in an electric field transmission medium, and receives the electric field induced in said electric field transmission medium (any of FIG. 6-11, abstract, par. 0033, 0066-0069, for transmission and reception electrodes 105 and 107, or 105', the electric field transmission medium 100);

a transceiver main body that generates said electric field based on information to be transmitted in said transmitting and receiving electrode, and converts said electric field generated in said transmitting and receiving electrode into reception information, thereby transmitting and receiving information via said electric field transmission medium (any of FIG. 6-11, abstract, par. 0033, 0066-0069, 088-0090, for the transceiver body 3);

an insulating case that accommodates said transceiver main body (any of FIGs. 7, 9 or 11, par. 0067, 0087, 0099 for insulation film 106'),

a battery that drives said transceiver main body (par. 00126);

However, Shinagawa fails to explicitly disclose a first structure that is interposed between said transmitting and receiving electrode and said electric field transmission



medium; wherein said transmitting and receiving electrode is continuously provided on a bottom and a side of an external wall surface of said insulating case, so that said transmitting and receiving electrode is adapted to allow said electric field transmission medium to closely approach the bottom and the side; a second structure that is interposed between said transceiver main body and said insulating case;

In the same field of endeavor, Webster discloses a first structure that is interposed between said transmitting and receiving electrode and said electric field transmission medium (FIG. 3C col. 8 lines 60-66 for non-conductive base 38);

wherein said transmitting and receiving electrode is provided on a bottom and a side of an external wall surface of said insulating case, so that the transmitting and receiving electrode is adapted to allow said electric field transmission medium to closely approach the bottom and the side (any of FIGs. 3A-C or 7-9, col. 6 lines 17-53 for the electrodes provided on a side and a bottom of external wall surface);

a second structure that is interposed between said transceiver main body and said insulating case (FIG. 3C, col. 9 lines 1-8 for non-conductive mixture 37);

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate transmitting and receiving electrodes on a the side and bottom walls of a probe with insulating substances as taught by Webster for purpose of providing more area of the connectivity between the transmitting and receiving electrodes and human body.

However, Shinagawa as modified by Webster fail to disclose a third structure that is interposed between said transceiver main body and said battery, wherein said first,

said second, and said third structures are composed an insulator, and are equivalent to a parallel circuit of a resistor and a capacitor.

In the same field of endeavor, Takeuchi discloses a third structure that is interposed between said transceiver main body and said battery (par. 0105).

Therefore, it would have been obvious to a person of ordinary skills in the art at the time the invention was made to incorporate insulating a power supply circuit and transceiver as taught by Takeuchi for the power supply circuit (which could include a battery) and transceiver as disclosed by Shinagawa as modified by Webster for purpose of isolating circuits from each others for preventing inductions and crosstalk between circuits.

However, Shinagawa as modified by Webster further modified by Takeuchi fail to disclose said first, said second, and said third structures are composed an insulator, and are equivalent to a parallel circuit of a resistor and a capacitor.

In the same field of endeavor, Trinh disclose the structures are composed an insulator, and are equivalent to a parallel circuit of a resistor and a capacitor (par. 0011).

Therefore, it would have been obvious to a person of ordinary skills in the art at the time the invention was made to incorporate the disclose of equivalent circuit of a dielectric substance as taught by Trinh to the structures disclosed by Shinagawa as modified by Webster further modified by Takeuchi for purpose of representing dielectric substances with electrical elements.

However, Shinagawa as modified by Webster as modified by Takeuchi further as modified by Trinh does not disclose expressly said transmitting and receiving electrode

is continuously provided on a bottom of an external wall surface.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the probe as disclosed by Shinagawa as modified by Webster as modified by Takeuchi further as modified by Trinh to allow an electric field transmission medium to closely approach the bottom and the side. Applicant has not disclosed that 'said transmitting and receiving electrode is continuously provided on a bottom of an external wall surface' provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with same probe as disclosed by Shinagawa as modified by Webster as modified by Takeuchi further as modified by Trinh (see any of FIGs. 3A-C or 7-9, col. 6 lines 17-53 of Webster) because the electric field can be transferred by any of the electrodes in the bottom or side wall of the probe to the main body.

Therefore, it would have been obvious to one of ordinary skill in this art to use the probe as disclosed by Shinagawa as modified by Webster as modified by Takeuchi further as modified by Trinh to receive and measure an electric field from a medium to obtain the invention as specified in claim 1.

Consider **claim 2 as applied to claim 1 above**, Shinagawa as modified by Webster as modified by Takeuchi further modified by Trinh disclosed the claimed invention except the impedance of said second structure and the impedance of said third structure are larger than the impedance of said first structure.

Nonetheless, the Examiner takes Official Notice of the fact that in order to induce energy to human body as compared to preventing the unwanted energy induction and crosstalk between circuit blocks, the impedance of the structure between the transceiver and power supply circuits should be larger than the impedance of the structure between the transmission medium and transceiver circuit.

Therefore, it would have been obvious to a person of ordinary skills in the art at the time the invention was made to use substances with different impedances as claimed in the transceiver disclosed by Shinagawa as modified by Takeuchi further as modified by Trinh for purpose of using substances for preventing energy induction between circuit blocks as compared to substances for intending induce of energy from one block to another.

Consider **claim 3**, Shinagawa as modified by Webster as modified by Takeuchi further modified by Trinh disclosed the claimed invention **as applied to claim 2 above**, in addition Shinagawa discloses said first structure is an insulating film that covers said transmitting and receiving electrode against said electric field transmission medium (any of FIGs. 7, 9, or 11, par. 0067, 0087, 0091-0092).

Consider **claim 4**, Shinagawa as modified by Webster as modified by Takeuchi further modified by Trinh disclosed the claimed invention **as applied to claim 2 above**, in addition Shinagawa discloses said second structure and said third structure are insulating members (any of FIGs. 7, 9, or 11, par. 0067, 0087, 0091-0092 and par. 0011

of Trinh).

9. **Claims 5 and 10-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shinagawa et al. (US Patent Application Pub. # 20030060162)** (hereinafter Shinagawa) in view of **Webster, Jr. Et al. (US Patent # 6064905)** (hereinafter Webster).

Consider **claim 5**, Shinagawa discloses a transceiver comprising (any of FIGs. 7, 9 or 11, abstract):

a transceiver main body that induces an electric field based on information to be transmitted in an electric field transmission medium from a transmitting electrode, thereby transmitting the information via said electric field transmission medium (any of FIGs. 7, 9 or 11, abstract, par. 0067-0069 for transceiver 3, an electric field transmission medium 100, and a transmitting electrode 105');

a battery that drives said transceiver main body (par. 0126, 0181-0184); and  
an insulating case that accommodates said transceiver main body (any of FIGs. 7, 9 or 11, par. 0067, 0087, 0099 for insulation film 106'),

and said transmitting electrodes is covered with an insulating film so as not to be in direct contact with said electric field transmission medium (any of FIGs. 4-11, abstract, par. 0067, 0087, 0099 for insulation films 106, 108 and/or 106').

However, Shinagawa fails to disclose wherein said transmitting electrode is continuously provided on a bottom and a side of a portion of an external wall surface of

said insulating case, so that said transmitting electrodes is adapted to allow said electric field transmission medium to closely approach the bottom and the side.

In the same field of endeavor, Webster discloses said transmitting electrode is provided on a bottom and a side of a portion of an external wall surface of said insulating case, so that said transmitting electrodes is adapted to allow said electric field transmission medium to closely approach the bottom and the side (any of FIGs. 3A-C or 7-9, col. 6 lines 17-53 for the electrodes provided on a side and a bottom of external wall surface).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate transmitting and/or receiving electrodes on a the side and bottom walls of a probe as taught by Webster for purpose of providing more area of the connectivity between the transmitting and receiving electrodes and human body.

However, Shinagawa as modified by Webster does not disclose expressly said transmitting and receiving electrode is continuously provided on a bottom of an external wall surface.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the probe as disclosed by Shinagawa as modified by Webster to allow an electric field transmission medium to closely approach the bottom and the side. Applicant has not disclosed that 'said transmitting and receiving electrode is continuously provided on a bottom of an external wall surface' provides an advantage, is used for a particular purpose, or solves a stated problem. One of

ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with same probe as disclosed by Shinagawa as modified by Webster (see any of FIGs. 3A-C or 7-9, col. 6 lines 17-53 of Webster) because the electric field can be transferred by any of the electrodes in the bottom or side wall of the probe to the main body.

Therefore, it would have been obvious to one of ordinary skill in this art to use the probe as disclosed by Shinagawa as modified by Webster to receive and measure an electric field from a medium to obtain the invention as specified in claim 5.

Consider **claim 10**, Shinagawa as modified by Webster disclose the claimed invention **as applied to claim 5 above**, and in addition Shinagawa discloses a ground electrode that defines a reference voltage which is necessary to drive said transceiver main body, and that is attached to an internal wall surface of said insulating case (par. 0126-0128, it is a well-known safety standard (and inherently taught) that the electric ground connection should be to the body of a device).

Consider **claim 11**, Shinagawa as modified by Webster disclose the claimed invention **as applied to claim 5 above**, and in addition Shinagawa discloses a ground electrode that defines a reference voltage which is necessary to drive said transceiver main body, and that is attached to an external device at the outside of said insulating case (par. 0126-0128, it is a well-known safety standard (and inherently taught) that the electric ground connection of the devices connection to each others should be

attached).

Consider **claims 12 and 13**, Shinagawa discloses a transceiver comprising:  
a transceiver main body that induces an electric field based on information to be transmitted in an electric field transmission medium from a transmitting electrode, and receives information based on the electric field induced in said electric field transmission medium with a receiving electrode, thereby transmitting and receiving the information via said electric field transmission medium (any of FIG. 6, 8 or 10, abstract, par. 0033, 0066-0069, 0088-0090 for transmission and reception electrodes 105 and 107, the transceiver body 3, the electric field transmission medium 100);

a battery that drives said transceiver main body (par. 00126); and

an insulating case that accommodates said transceiver main body (any of FIGs. 7, 9 or 11, par. 0067, 0087, 0099 for insulation film 106'),

and said transmitting (receiving) electrodes is covered with an insulating film so as not to be in direct contact with said electric field transmission medium (any of FIGs. 4-11, abstract, par. 0067, 0087, 0099 for insulation films 106, 108 and/or 106'),

said receiving (or transmitting) electrode is provided on an external wall surface of said first insulating film, and is covered with a second insulating film so as not to be in direct contact with said electric field transmission medium (any of FIG. 6, 8 or 10 par. 0066-0069, 0088-0090 for receiving electrodes 107 with second insulating film 108).

However, Shinagawa fails to disclose wherein said transmitting (receiving) electrode is continuously provided on a bottom and a side of a portion of an external



wall surface of said insulating case, so that said transmitting electrodes is adapted to allow said electric field transmission medium to closely approach the bottom and the side.

In the same field of endeavor, Webster discloses said transmitting electrode is provided on a bottom and a side of a portion of an external wall surface of said insulating case, so that said transmitting electrodes is adapted to allow said electric field transmission medium to closely approach the bottom and the side (any of FIGs. 3A-C or 7-9, col. 6 lines 17-53 for the electrodes provided on a side and a bottom of external wall surface).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate transmitting and/or receiving electrodes on a the side and bottom walls of a probe as taught by Webster for purpose of providing more area of the connectivity between the transmitting and receiving electrodes and human body.

However, Shinagawa as modified by Webster does not disclose expressly said transmitting and receiving electrode is continuously provided on a bottom of an external wall surface.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the probe as discloses by Shinagawa as modified by Webster to allow an electric field transmission medium to closely approach the bottom and the side. Applicant has not disclosed that 'said transmitting and receiving electrode is continuously provided on a bottom of an external wall surface' provides

an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with same probe as disclosed by Shinagawa as modified by Webster (see any of FIGs. 3A-C or 7-9, col. 6 lines 17-53 of Webster) because the electric field can be transferred by any of the electrodes in the bottom or side wall of the probe to the main body.

Therefore, it would have been obvious to one of ordinary skill in this art to use the probe as disclosed by Shinagawa as modified by Webster to receive and measure an electric field from a medium to obtain the invention as specified in claims 12 and 13.

10. **Claims 6-9** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shinagawa et al. (US Patent Application Pub. # 20030060162)** (hereinafter Shinagawa) in view of **Webster, Jr. Et al. (US Patent # 6064905)** (hereinafter Webster) further in view of **Takeuchi et al. (US Patent Application Pub. # 20030151600)** (hereinafter Takeuchi).

Consider **claim 6 as applied to claim 5 above**, Shinagawa as modified by Webster disclosed the claimed invention except an insulating member between said battery and said transceiver main body.

In the same field of endeavor, Takeuchi discloses an insulating member between said battery and said transceiver main body (par. 0105).

Therefore, it would have been obvious to a person of ordinary skills in the art at

the time the invention was made to incorporate insulating a power supply circuit and transceiver as taught by Takeuchi for the power supply circuit (which could include a battery) and transceiver as disclosed by Shinagawa as modified by Webster for purpose of isolating circuits from each others for preventing inductions and crosstalk between circuits.

Consider **claim 7-9**, Shinagawa as modified by Takeuchi discloses an insulating member between said battery and said transceiver main body (par. 0105).

However, Shinagawa as modified by Takeuchi fail to disclose expressly said insulating member is a foam member containing air, a plurality of wooden pillars, or a cushion member having predetermined gas confined therein.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a foam member containing air, a plurality of wooden pillars, or a cushion member having predetermined gas confined therein as an insulating substance.

Therefore, it would have been obvious to one of ordinary skill in this art to modify Shinagawa as modified by Takeuchi's insulating material to obtain the invention as specified in claims 7-9.

### ***Conclusion***

11. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

12. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Allahyar Kasraian whose telephone number is (571) 270-1772. The Examiner can normally be reached on Monday-Thursday from 8:00 a.m. to 5:00 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Rafael Pérez-Gutiérrez can be reached on (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100.

Art Unit: 2617

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

*/Allahyar Kasraian/  
Examiner, Art Unit 2617*

A.K./ak

*/Rafael Pérez-Gutiérrez/  
Supervisory Patent Examiner, Art Unit 2617*

July 21, 2009